



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411

Confirmation No.: 4318

Filing Date: February 12, 2004

First Named Inventor: Charles Gordon

Title: ARTIFICIAL SPINAL UNIT
ASSEMBLIES

§ Examiner: A. M. Schillinger

§ Art Unit: 3738

§ Atty. Dkt. No.: 5943-00300/EBM

CERTIFICATE OF MAILING

UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: *May 30, 2008*

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents
Alexandria, VA 22313*Jackie L. Pitre*
Jackie L. Pitre

**TRANSMITTAL OF PETITION TO ADD TO ORIGINALLY NAMED INVENTORS OF
NONPROVISIONAL PATENT APPLICATION UNDER 37 C.F.R. 1.48(a)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant encloses the following:

- (1) Petition and Fee to Add to Originally Named Inventors Pursuant to 37 C.F.R. 1.48(a) (3 pages);
- (2) Assignee Consent Under 37 C.F.R. §1.48(a)(5) (1 page), the referred to Assignment is recorded at reel 016732, frame 0318;
- (3) Inventor Statement Under 37 C.F.R. §1.48(a)(2) (1 page);
- (4) Application Data Sheet 37 CFR 1.76 (5 pages);
- (5) Originally executed Declaration of Charles R. Gordon (3 pages);
- (6) Originally executed Declaration of Corey T. Harbold (3 pages);
- (7) Originally executed Declaration of Heather S. Hanson (3 pages);

(8) Fee Authorization in the amount of \$130.00 to cover the fees as follows (2 pages):

\$130.00 -- Petition for Correction of Inventorship fee; and

(9) A return postcard.

If any fees are omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5943-00300/EBM.

Respectfully submitted,

Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398

AUSTIN, TX 78767-0398

(512) 853-8800 (voice)

(512) 853-8801 (facsimile)

Date: May 20, 2008



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411
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 Filing Date: February 12, 2004
 Inventors: Gordon et al.
 Title: ARTIFICIAL SPINAL UNIT
 ASSEMBLIES

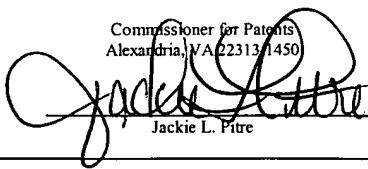
§ Examiner: Unknown
 § Art Unit: 3732
 § Atty. Dkt. No.: 5943-00300/EBM

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. §1.8**

DATE OF DEPOSIT: May 30, 2008

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Commissioner for Patents
Alexandria, VA 22313-1450


Jackie L. Pitre

**AMENDMENT; PETITION AND FEE TO ADD TO ORIGINALLY
NAMED INVENTORS PURSUANT TO 37 CFR §1.48(a)**

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir/Madam:

Pursuant to 37 C.F.R. §1.48(a), please amend above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

06/02/2008 SSITHIB1 00000064 501505 10777411

01 FC:1464 130.00 DA

Amendment to the Specification

On page 1 (Title Page), please add beneath the list of inventors the following additional inventor:

Heather S. Hanson

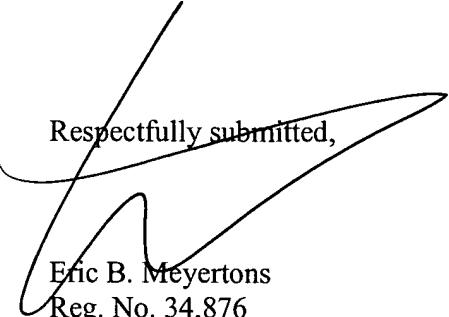
Remarks

This amendment and petition is to add to the originally named inventors under 37 CFR §1.48(a). Please add the following previously unnamed person as an inventor of this application: Heather S. Hanson.

Attached is:

- a) a statement from Heather S. Hanson that the error in inventorship occurred without deceptive intention on her part;
- b) a declaration by the actual inventors as required by 37 CFR §1.63;
- c) a fee authorization to cover the processing fee set forth in §1.17(i); and
- d) written consent of the assignee.

Should additional fees be required or if fees have been overpaid, please charge or refund the appropriate fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00300/EBM.

Respectfully submitted,

Eric B. Meyertons
Reg. No. 34,876

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. Box 398
Austin, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: May 30, 2008

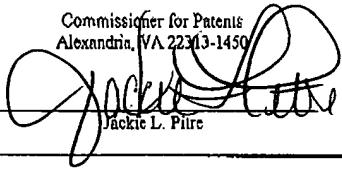


PATENT

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Title: ARTIFICIAL SPINAL UNIT
ASSEMBLIES

Examiner: A.M. Schillinger
Art Unit: 3774
Atty. Dkt. No.: 5943-00300/EBM

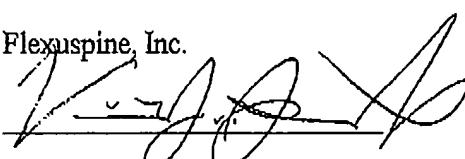
CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8	
DATE OF DEPOSIT: <u>May 30, 2008</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:	
Commissioner for Patents Alexandria, VA 22313-1450	 Jackie L. Pilre

ASSIGNEE CONSENT UNDER 37 CFR §1.48(a)(5)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

The undersigned, being Assignee of the entire interest of the above-identified application by virtue of a previously filed assignment, hereby consents to a correction of inventorship to include Heather S. Hanson as an actual inventor along with the original named inventors, Charles Gordon and Corey Harbold, in connection with the above-captioned Application.

By: 
Name: Vincent J. Jannetty
Title: CEO
Date: May 21, 2008

Flexuspine, Inc.

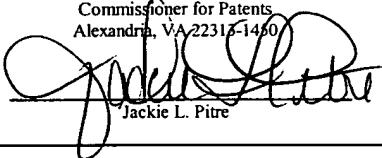


PATENT

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§ Examiner: Unknown
§ Art Unit: 3732
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 Jackie L. Pitre	

INVENTOR STATEMENT UNDER 37 CFR §1.48(a)(2)

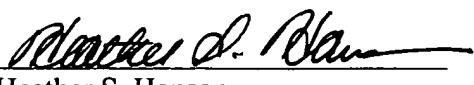
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

I, Heather S. Hanson, hereby declare that my omission as an inventor on the original declaration for the above-identified application occurred without deceptive intent on my part.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements are made with knowledge that willful false statements are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Feb. 24, 2008


Heather S. Hanson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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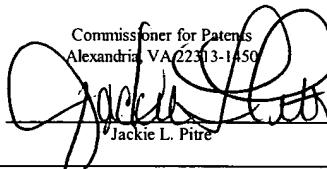
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 Alexandria, VA 22313-1450


 Jackie L. Pire

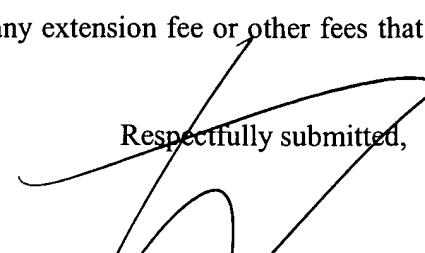
FEE AUTHORIZATION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5943-00300:

\$130.00 – processing fee under C.F.R. §1.17(i) to add an inventor

The Commissioner is also authorized to charge any extension fee or other fees that may be necessary to the same account number.


 Respectfully submitted,

Eric B. Meyertons
 Reg. No. 34,876
 Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
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